

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: DURWOOD HANKINSON, Debtor, NATIONSTAR MORTGAGE LLC D/B/A CHAMPION MORTGAGE COMPANY, Objecting Party, v. DURWOOD HANKINSON and WILLIAM C. MILLER, Ch. 13 Trustee, Respondents	Bankruptcy No. 16-11788-amc Chapter 13 Related to Doc. No. 24
--	---

STIPULATION RESOLVING
MOTION FOR RELIEF FROM STAY

AND NOW, comes Movant, Nationstar Mortgage LLC d/b/a Champion Mortgage Company, by and through its undersigned counsel, Bernstein-Burkley, P.C., and, Debtor, Durwood Hankinson (Debtor), by and through his undersigned counsel, Brad J. Sadek, and together file this Stipulation Resolving Motion for Relief from Stay (the “Stipulation”), stating as follows:

1. The automatic stay as provided by Section 362 of the Bankruptcy Code shall remain in full force and effect conditioned upon the terms and conditions set forth herein.
2. Movant has a secured interest in Debtors’ real property located at 246 Christian Street, Philadelphia, PA 19147 (hereinafter the “Property”).
3. As of the date of this Stipulation, the total post-petition arrears to Movant are \$948.89 for taxes and/or insurance.

4. The Debtor will modify their plan to cure the post-petition arrears in the amount of \$948.89 throughout the remainder of the plan. Debtor's counsel will file the amended plan within 30 (thirty) days of the date this Honorable Court approves this Stipulation.

5. Debtor further agrees that he shall maintain further payments of post-petition taxes and insurance pertaining to the aforesaid property in a timely manner hereafter. Debtors will also provide acceptable proof of insurance.

6. If Debtor defaults in any further payments of taxes or insurance, Movant may send Debtor and counsel a written notice of default of this Stipulation. Movant may send the written notice by fax or e-mail, instead of or in addition to regular mail. If the default is not cured within fourteen (14) days of the date of the notice, counsel for Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the Property without further hearing. If Debtor send a payment that is returned for insufficient funds, Movant may file a Certification of Default with the Court and the Court shall enter an Order granting Movant relief from the automatic stay as to the Property without further hearing. If the default is not cured by payment within fourteen (14) days of the date of mailing of the Notice of Default, Movant shall have the right to have an Order terminating the automatic stay entered.

7. If Debtor has defaulted on the Stipulation in two separate months then, if Debtor defaults a third time, Movant may file a Certification of Default without having to first send Debtor notice of the Default.

8. In the event the instant bankruptcy case is converted to a case under Chapter 7 of the Bankruptcy Code, the Debtor shall cure the pre-petition and post-petition arrears within ten (10) days from the date of such conversion. Should Debtor fail to cure said arrears within the ten day period, such failure shall be deemed a default under the terms of this Stipulation and Movant

may send Debtor and counsel a written notice of default. If the default is not cured within ten (10) days from the date of the notice, counsel for Movant may file a Certification of Default with the Court and the Court shall enter an Order granting relief from the automatic stay as to the Property.

9. This Stipulation may only be modified by a revised Stipulation filed on the docket in the Bankruptcy. No oral modifications are permitted and any allegation that the Stipulation was modified orally will be disregarded as evidence. No written modifications are permitted, except for a revised Stipulation filed on the docket in the Bankruptcy.

Agreed to by:

By: /s/ Peter J. Ashcroft
Peter J Ashcroft, Esq.
PA I.D. # 87317
pashcroft@bernsteinlaw.com
Bernstein-Burkley, P.C.
707 Grant Street, Suite 2200, Gulf Tower
Pittsburgh, PA 15219
(412) 456-8107
Fax: (412) 456-8135
Counsel for Nationstar Mortgage LLC

By: /s/ Brad J. Sadek
Brad J. Sadek, Esq.
Sadek and Cooper
1315 Walnut Street
Suite 502
Philadelphia, PA 19107
215-545-0008
Fax : 215-545-0611
Email: brad@sadeklaw.com
Counsel for Durwood Hankinson

Dated: October 26, 2016